REMARKS

In the Final Office Action of October 20, 2008, claims 1-10 and 12-14 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No.

5 6,154,061 ("Boezen et al.") in view of U.S. Patent No. 5,475,687 ("Markkula et al."). In addition, claim 11 was rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Boezen et al. in view of Markkula et al., and in further view of U.S. Patent No. 6,832,251 ("Gelvin et al.").

10 In response, Applicant respectfully asserts that the independent claims 1 and 4 are not obvious in view of the cited references of Boezen et al. and Markkula et al., as explained below. In view of the following remarks, Applicant respectfully requests that the pending claims 1-14 be allowed.

15 Applicant respectfully notes that the rejection of claim 1 is difficult to understand and follow. Applicant respectfully requests that the Examiner cite specific passages in the cited references for each claimed limitation that is allegedly disclosed so that Applicant can properly address these assertions.

20 A. Patentability of Independent Claims 1 and 4

The independent claim 1 recites in part *"characterized in that the system is changed over from the subnetwork operation to the full network operation through the detection of at least one defined, especially continuous and/or especially symmetrical*

25 *signal level pattern in the data traffic on the system,"* where the subnetwork operation is described as *"in which at least one node and/or at least one user of the system is in a state of reduced current consumption and is not addressed and/or not activated by the signal level of the data traffic on the system."* These limitations are not disclosed in the cited references of Boezen et al. and Markkula et al. Thus, Applicant

30 respectfully asserts that the independent claim 1 is not obvious even if the teachings of Boezen et al. and Markkula et al. are combined. As such, Applicant respectfully requests that the independent claim 1 be allowed.

The Office Action on pages 3 and 4 correctly states that the cited reference of Boezen et al. "fails to disclose a method of subnetting, a serial databus, or reduced consumption states." The Office Action then apparently asserts that the cited reference of Markkula et al. discloses these features. Applicant respectfully disagrees with this assertion.

As noted in the Office Action, the cited reference of Markkula et al. discloses a subnetwork and a full network. The subnetwork is defined in column 7, lines 4-8, of Markkula et al. as follows: "A subnetwork comprises all the cells having the same system identification (system ID). For example, all the cells in a single family home may have the same system ID. Therefore, the channels of FIG. 4 may be part of the same subnetwork in that they share the same system ID." However, there is no mention of a node or a user of the network system that is **in a state of reduced current consumption** in the subnetwork. Thus, the cited reference of Markkula et al. does not disclose a "*subnetwork operation, in which at least one node and/or at least one user of the system is in a state of reduced current consumption*" (emphasis added), as recited in the independent claim 1. Since the cited reference of Markkula et al. fails to disclose the claimed "*subnetwork operation,*" the cited reference of Markkula et al. also does not disclose the limitation of "*characterized in that the system is changed over from the subnetwork operation to the full network operation...,*" as recited in the independent claim 1.

In addition, the cited reference of Markkula et al. does not disclose changing over from the subnetwork to the full network "*through the detection of at least one defined, especially continuous and/or especially symmetrical signal level pattern in the data traffic on the system,*" as recited in the independent claim 1. The cited reference of Markkula et al. fail to disclose any process of changing from a subnetwork operation to a full network operation, as defined in the independent claim 1. In particular, the cited reference of Markkula et al. fails to disclose any detection of a continuous and/or symmetrical signal level pattern to change the system from a subnetwork operation to a full network operation, as defined in the independent claim 1. The cited reference of Markkula et al. does describe coding using different patterns of bits. However, these patterns are not used to change the system from a subnetwork

operation to a full network operation. Therefore, the cited reference of Markkula et al. does not disclose the limitations of *"characterized in that the system is changed over from the subnetwork operation to the full network operation through the detection of at least one defined, especially continuous and/or especially symmetrical signal level pattern in the data traffic on the system,"* as recited in the independent claim 1.

Since the cited references of Boezen et al. and Markkula et al. fail to disclose all the claim limitations, the independent claim 1 is not obvious even if the teachings of Boezen et al. and Markkula et al. are combined. Thus, Applicant respectfully requests that the independent claim 1 be allowed.

The above remarks are also applicable to the independent claim 4, which recites limitations similar to those of the independent claim 1. Consequently, the independent claim 4 is also not obvious in view of the cited references of Boezen et al. and Markkula et al. Thus, Applicant respectfully requests that the independent claim 4 be allowed as well.

B. Patentability of Dependent Claims 2, 3 and 5-14

Each of the dependent claims 2, 3 and 5-14 depends on one of the independent claims 1 and 4. As such, these dependent claims include all the limitations of their respective base claims. Therefore, Applicant submits that these dependent claims are allowable for at least the same reasons as their respective base claims. Additionally, each of claims 2, 3 and 5-14 may be allowable for further reasons.

As an example, the dependent claim 2 recites *"characterized in that the signal level pattern does not otherwise occur in the data traffic,"* which is not disclosed in the cited reference of Markkula et al. The Office Action on page 10 alleges that "Boezen et al., as modified by Markkula et al, further discloses a method characterized in that the signal level pattern does not otherwise occur in the data traffic (Markkula et al., column 5 lines 19-38)." However, Applicant fails to see how the cited passage of Markkula et al. discloses such a claim limitation since the cited

passage merely describes transmission and reception of messages (data traffic) between the cells 27 and 28. Consequently, the dependent claim 2 is not obvious over Boezen et al. in view of Markkula et al. Thus, Applicant respectfully requests that the dependent claim 2 be allowed.

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Applicant respectfully requests reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

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Respectfully submitted,

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